

DEBORAH G. LEVINE
CA State Bar No. 57607
Law Offices of Deborah G. Levine
1299 Newell Hill Place, Suite 300
Walnut Creek, CA 94596
Tel. (925) 933-5100
Fax (925)933-5297

Attorney for NICOLE BERRY

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

THE UNITED STATES OF AMERICA,)	No. CR 15-00181 HSG
)	
Plaintiff,)	STIPULATION AND
)	PROPOSED ORDER
vs.)	TO CONTINUE
)	CHANGE OF PLEA HEARING
NICOLE BERRY,)	
)	
Defendant.)	
)	

The defendant, by and through her attorney of record, DEBORAH G. LEVINE, and Assistant United States Attorney, THOMAS M. NEWMAN, hereby stipulate and ask the court to continue the Change of Plea Hearing set for August 10, 2015 at 2 p.m. and set that hearing instead for August 24, 2015 at 2 p.m. for change of plea.:

Counsel for Ms. Berry has been unable to meet with her client to review the plea agreement because the scheduled appointment for counsel to meet with her client at the Santa Rita Jail (Alameda County Sheriff's facility) was canceled by the jail and will be rescheduled but not before August 10, 2015. For this reason more time is needed for counsel to meet with her client to review the proposed plea agreement.

The parties agree that time should be excluded under the Speedy Trial Act [18 U.S.C. § 3161(h)(7)(B)(4)] from August 10, 2015 to August 24, 2015 in order for counsel to effectively represent her client at this critical stage of the proceedings. The parties also agree that the ends of

1 justice are served by granting such a continuance and outweigh the best interests of the public and
2 the defendant to a speedy trial.
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8 IT IS SO STIPULATED:

9 Dated: August 7, 2015

/s/Thomas M. Newman
Thomas M. Newman
Assistant United States Attorney

11 Dated: August 7, 2015

/s/Deborah G. Levine
DEBORAH G. LEVINE
Attorney for Nicole Berry

14
15 ~~[PROPOSED]~~ ORDER

16 FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT:

17 The currently scheduled Hearing set for August 10, 2015 be continued to August 24, 2015
18 at 2 p.m. for change of plea. It is further ordered that time be excluded pursuant to
19 18U.S.C. § 3141(h)(7) until August 24, 2015 for effective preparation of counsel.
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23 IT IS SO ORDERED

24 Dated: 8/10/2015

Haywood S. Gilliam, Jr.
HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT COURT JUDGE